

2015 Child Support Schedule Workgroup Minutes  
Web Based Meeting of August 13, 2015

Workgroup Members attending: Wally McClure, Sharon Redmond, Matt Parascand, Janina Oestereich, Robert Plotnick, Charles Szurszewski, Nancy Koptur, Melora Sharts, Ami Abuan, Nathaniel Hildebrand, Tami Chavez, Inga Laurent, Kevin Callaghan, David Brown, Kristopher Amblad, Kala Jackson, Coti Westby

DCS Staff: Matthew Parascand, Janina Oestereich, Nancy Koptur

Public: Cindy Brinkner, David Johnson

1. Review Ground Rules
  - a. If consensus decisions cannot be met we will report both majority and minority opinions
  - b. Consensus is defined as an outcome you can live with
2. Previous meeting minutes reviewed and approved with edits
3. Formula Presentation
4. Parenting plan presentation
  - a. What to do if there is no history involved between NCP and child
    - i. Reviewed historical findings
    - ii. Made recommendations for threshold
    - iii. Discussed administrative policy application
    - iv. [Subcommittee recommendations finalized and adopted by workgroup](#)
      1. Parenting Plan Proposal Voting on administrative Process - **Consensus**<sup>1</sup>
        - a. A residential credit should not be applied by the department at the beginning of the establishment process(notice and finding of financial responsibility)
        - b. After the notice of finding of financial responsibility (or notice of finding of parental responsibility) is served, either party may request a hearing and request that a residential schedule deviations be applied as part of the hearing process
        - c. The parents may agree to the number of overnights and residential credit as part of the settlement or hearing process
        - d. If the parents cannot agree, the ALJ may apply a residential credit based upon findings of fact at a hearing
      2. Enforcement - **Consensus**
        - a. The subcommittee recommends statutory language in RCW Ch. 26 & 74.20A.059, to the effect that if a residential credit is

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<sup>1</sup> Workgroup member Merrie Gough informed the Workgroup via email on 9/21/2015 that she was withdrawing approval of these minutes as written. Subsequent discussions between Merrie, DCS staff, and Workgroup members resulted in the consensus Recommendation Three in the final report. These notes reflect the discussion as of August 13, 2015.

given; but a parent does not spend the time with the child/ren then the other party may file:

- i. Petition to modify the child support order to as the court or administrative tribunal to modify the residential credit;
  - ii. A motion to adjust the child support order to ask the court to adjust the residential credit;
  - iii. Motion for contempt, and ask the court coerce compliance with the order including suspending or temporarily reducing the residential credit;
- b. DCS asks when parties are in agreement over credit, why should there be an additional rule on credit not being applied during initial DCS establishment?
- i. The group discussed concerns regarding protections during the initial phase of a case due to domestic violence which could result in a coercive decision
  - ii. Discussed grant currently underway seeking information from involved parties, could easily add residential time to the questionnaire

5. [Formula Presentation](#)

- a. Clarification that the formula will be used as a guideline when applying a deviation this is a guideline – majority vote for deviation vs adjustment
  - i. Call for caveat for protections for low income families
- b. Application of formula
  - i. The Workgroup supports a residential credit formula
  - ii. The formula should avoid cliffs and thresholds
  - iii. The formula should be readily accessible including the DCS website and other appropriate places
  - iv. The formula should be easily understandable
  - v. The credit formula may be applied in both the administrative and judicial forum
  - vi. The group tentatively supports the formula as proposed by Dr. Plotnick

**Voting:**

1. Yes 11
2. No 1

- c. The group agrees that the low income protections in the current residential statute should be maintained.

6. Public Comment
7. Discussion of low income limitations
8. Reviewed 2011 and 2015 recommendations

**2011:**

- New Economic Table

- Self-support reserve and federal poverty level
  - Clarified self-support reserve was for one household

**2015:**

**Residential Credit:**

- There should be a residential credit: (**consensus**)
- Adjustment vs Deviation:
  - There should be a formula: (**consensus**)
  - There was extensive discussion as to whether the credit should be an automatic adjustment or discretionary/advisory guidance (deviation). The group made a majority vote to recommend the credit be a deviation.
    - **Deviation – 12 yes**
    - **Adjustment – 2 yes**
- Unit of Measurement for the credit will be overnights: (**consensus**)